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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/023,641
		Filing Date	December 21, 2001
		First Named Inventor	KUHL, Tim et al
		Art Unit	2661
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	9+refs	Attorney Docket Number	123081-339665 (T01215-0082US)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>-References to IDS (5 Foreign and 4 non-patent documents)</b> - Notice of Change of Correspondence Address - Form PTO/SB/122 - Return receipt postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Applicant does not believe that any fee is due, but includes Form PTO/SB/17 in case any fee is deemed due.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	McCarthy Tétrault LLP , (Customer No. 27,155) Per Robet H. Nakano (Registration No. 46,498)
Signature	
Date	March 10, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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MAR 11 2005

PTO/SB/17 (12-04v2)

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Effective 01/01/2005

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
for FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$0.00****Complete if Known**

Application Number	10/023,641
Filing Date	December 21, 2001
First Named Inventor	KUHL, Tim
Examiner Name	To be assigned
Art Unit	2661
Attorney Docket No.	123081-339665

**METHOD OF PAYMENT (check all that apply)**
☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit    Deposit Account Number: 150633    Deposit Account Name: McCarthy Tetraault LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$50.00	=	\$0.00	

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>		<u>Extra Claims</u>		<u>Fee (\$)</u>		<u>Fee Paid (\$)</u>
- 3 or HP =		x		\$200.00	=	\$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50	(round up to a whole)	x \$250.00	= \$0.00

**4. OTHER FEE(S)**

Non-English specification, \$130 fee (no small entity discount)

Other (e.g. late filing surcharge):

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	46,498	Telephone	416-601-7852
Name (Print/Type)	Robert H. Nakano			Date	March 10, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** KUHL, Tim  
**Title:** SYSTEM AND METHOD FOR REASSEMBLING PACKETS  
IN A NETWORK ELEMENT  
**Serial No.:** 10/023,641  
**Art Unit:** 2661  
**Examiner:** To be assigned  
**Atty's Docket No.:** T01215-0082-US (123081-339665)

Date: March 10, 2005

United States Patent and Trademark Office  
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**INFORMATION DISCLOSURE STATEMENT**

Dear Sirs:

In accordance with 37 C.F.R. § 1.56, the Applicant encloses a completed Information Disclosure Statement. Submitted concurrently herewith is a Notice of Change of Correspondence Address.

Applicant believes that this statement is filed before the mailing of a first Office action on the merits, and as such, no fee is believed to be required pursuant to 37 C.F.R. § 1.97 (b). However, in the event that a first Office action on the merits have been mailed prior to the filing of this statement, or if filing fees are deemed to be due, the Patent Office is hereby authorized to charge any such fee to deposit account No. 15-0633 of McCarthy Tétrault LLP.

According to the terms of 37 C.F.R. § 1.97(g) and (h), this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is or is considered to be material to patentability, or that no other material information exists.

Two (2) United States patent documents, five (5) foreign patent documents and four (4) non-patent documents are cited on the enclosed two (2) sheets of Form PTO/SB/08. A copy of each foreign patent document and non-patent document is enclosed in accordance with 37 C.F.R. § 1.98.

The foregoing Information Disclosure Statement is based upon the information contained in the undersigned attorney's file as of the filing date of this statement and is inclusive of the best information known to the undersigned at that date. Prompt consideration of this Information Disclosure Statement and the references by the Examiner is respectfully requested.

Should any Patent Office official want to telephone, the call should be made to Robert N. Nakano (Registration No. 46,498) at (416) 601-7852.

Yours very truly,

A handwritten signature in black ink, appearing to be 'R. Nakano', with a long horizontal stroke extending to the right.

Robert H. Nakano  
Registration No. 46,498

**McCarthy Tétrault LLP**  
Suite 4700, Box 48  
Toronto Dominion Bank Tower  
Toronto, Ontario  
M5K 1E6  
Tel: 416-362-1812  
Fax: 416-868-0673

RHN/ETF/cp

Substitute for form 1449A/PTC

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

1

of

2

MAR 11 2005

**Complete if Known**

10/023.641

December 21, 2001

KUHL, Tim

2661

### To be Assigned

123081-339665 (T01215-0082-US)

## U.S. PATENT DOCUMENTS

[illegible]

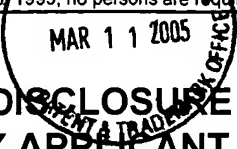
## FOREIGN PATENT DOCUMENTS

[illegible]Date  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number		10/023,641	
		Filing Date		December 21, 2001	
		First Named Inventor		KUHL, Tim	
		Art Unit		2661	
		Examiner Name		To be Assigned	
Sheet	2	of	2	Attorney Docket Number 123081-339665 (T01215-0082-US)	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Nong G et al. "Efficient Scheduling of Variable-Length IP Packets On High-Speed Switches", 1999 IEEE Global Telecommunications Conference, New York, NY: IEEE, US, vol. 2, December 5, 1999, pp. 1407-1411.	
		Kim H. et al. "A Packet-Based Scheduling Algorithm For High-Speed Switches", TENCON 2001, IEEE Region 10 Annual Conference, New York, NY: IEEE, US, vol. 1 of 2, August 19, 2001, pp. 117-121.	
		Parulkar G. et al. "AITPM: A Strategy For Integrating IP with ATM", Computer Communications Review, Associated For Computing Machinery, New York: vol. 25, no. 4, October 1, 1995, pp. 49-58.	
		Blau S. et al. "AXD 301: A New Generation ATM Switching System", Computer Networks and ISDN Systems, North Holland Publishing, Amsterdam, NL, vol. 31, no. 6, March 25, 1999, pp. 559-582.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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